

preceding section shall be deemed guilty of a misdemeanor and upon conviction fined one dollar for each and every day that he or she may be in default, but such license shall not be extended to exceed one hundred and fifty dollars in all.

INSURANCE COMPANIES.
Sec. 48. That every insurance company, whether life or fire, who shall insure or offer to insure by its agents or otherwise the lives or property of persons in this city, shall pay a license tax of ten dollars for city purposes for every period of twelve months or fractional part thereof that said company may do business in the city.

Sec. 49. Every person acting as the agent of any insurance company or insuring or offering to insure the life or property of any person in this city, but a company license as provided for in the preceding section, shall be deemed guilty of a misdemeanor and upon conviction fined ten dollars for every such offense.

GENERAL REVENUE.

Sec. 50. That for the purpose of raising a revenue for the support of the city government, the payment of its debts and the advancement of the public interest, a tax shall be levied upon the following objects: All male persons over the age of twenty-one and under the age of fifty years; all lands and lots of ground including the improvements thereon, except those lands embraced in the quarter of a mile east, south and west, most remote from the court house, which are in a state of actual cultivation or used for grazing purposes; on gold and silver watches, carriages, wagons, carts, drays, cash notes upon solvent persons, all monies on hand or deposited with banks or other incorporated companies, brokers' exchanged dealers or other persons for safe keeping or for purposes, except such money on hand, or so deposited as has been borrowed and for which bonds or notes has been given; on all printing presses, types and machinery connected therewith, all grist mills, saw mills and other manufacturing whatever, together with their machinery and appendages, all dogs, horses, mares, geldings, colts, asses, jennies, cattle, hogs and sheep and all household and kitchen furniture, in excess of two hundred dollars when owned by the head of family.

Sec. 51. All taxes mentioned in the preceding section shall be due and payable upon demand by the Collector and collection of the fact that the tax books are in the hands of the collector shall be deemed sufficient demand for the payment of said taxes.

Sec. 52. As soon as the Assessor's book shall have been adjusted by the city council and the amount of taxes extended on the tax book by the city clerk, the clerk shall deliver the same or a copy thereof to the collector taking his receipt for the same and shall immediately charge said collector with the amount of taxes to be collected as carried out on said tax book.

Sec. 53. In case any tax on real estate owned or under the control of any resident of this city or upon the real estate of any non-resident of this city, is not paid within sixty days after demand made as aforesaid and goods, chattels or effects cannot be found in the corporation whereon to levy the same, the collector shall cause notice to be given to all, whom it may concern, by advertisement in some newspaper published in the city, containing a true description of the property of said delinquent upon which taxes remain due and unpaid with the name or names of persons to whom charged, and the amount to be paid and shall notify all persons whom it may concern or who may be interested therein that unless the tax on said property be paid together with one dollar for the use of the collector for his trouble in advertising on or before a day therein to be mentioned (which shall not be less than twenty nor more than thirty days from the date of publication of said advertisement) the real estate therein will be sold at the court house and during the sitting of the county, probate or circuit court of said county to satisfy and pay the tax due thereon, and if the taxes due on any real estate, with the dollar mentioned, be not paid before the day appointed for the sale thereof the said collector shall sell at public sale at the time and place aforesaid so much of each tract of land, lot or parcel of ground as will be sufficient to pay and satisfy all taxes due and unpaid thereon, with the addition of one dollar and fifty cents for the collector, together with a penalty of fifteen per cent to be added to said tax on the day of sale, said penalty when collected to be paid to the city treasurer. When part only of a tract or lot shall be sold, the same shall be taken as near as may be in a square form and shall adjoin one or more of the outlets or corners of the lot or lots to be sold so as not to include any valuable improvements, is to be avoided and a designation of the part so sold shall be made by the Collector at the time of sale and he shall deliver to the purchaser of any lot or part of a lot thus sold a certificate of such sale which shall be recorded in the same manner and in the same office as deeds for lands, and after the time for sale shall be assessed to, and the taxes paid by the purchaser.

Sec. 54. When any real estate shall be sold for taxes as hereinbefore provided, the owner or owners, his or their executor or executors, or any person on his or their behalf, shall have liberty to redeem such real estate so sold at any time within two years after the time of sale upon the payment to the Collector for the time being for use of the purchaser, his heirs and assigns the amount paid by such purchaser, including the Recorder's charge for recording the certificate of sale and all State and county and city tax paid by him on said estate after the time of sale, with interest at the rate of fifty per cent per annum for the first year, and twenty-five per cent per annum for the second year, on the whole amount, said interest to be calculated from the time the payments were made, such Collector shall, upon being paid one dollar, grant to the person so redeeming a certificate reciting the sale to the purchaser, and the payment, and describing the real estate, and certify that the same has been redeemed, which certificate shall be recorded as other conveyances for land in the office of the Recorder of the County of Audrain, and thenceforth shall be as efficient for the restoring to all parties interested all the right, title, claim and interest which they had before the sale as if the same had not been sold, and thenceforth the same shall be assessed and taxed accordingly. But if the estate so sold for taxes be not redeemed within two years from the time of the sale thereof, the Collector for the time being shall make to the purchaser upon ap-

plication and receipt of one dollar for his trouble, a deed to the real estate so sold, conveying and transferring to said purchaser, his heirs and assigns all the right, title, claim and interest which the original owner or owners had therein through whose failure, neglect or refusal to pay the taxes due thereon to the corporation it was sold.

Sec. 55. Infants, married women, persons of unsound mind, and persons residing out of the limits of the United States shall have two years after the removal of their disabilities to redeem their property sold as aforesaid.

Sec. 56. The Collector shall have power in enforcing the collection of the taxes specified upon the tax book to be due on personal property to levy upon and sell the goods, chattels and effects not exempt from sale for taxes by State law of the persons liable for the tax in the same manner and the same restrictions as goods and chattels are or may be required to be levied upon and sold under execution issued upon judgments of justices of the peace.

Sec. 57. Whenever taxes shall be levied by the sale of goods as in the last preceding section provided in addition to the amount of the taxes, the Collector shall levy ten per cent on the amount for his trouble.

Sec. 58. The Collector shall on or before the 1st regular meeting of the City Council in December of each year collect and pay to the City Treasurer all taxes due on the tax book and make returns of the same to the Council. They shall upon such returns give him credit for all delinquent taxes that they may be satisfied is uncollectable.

Sec. 59. Nothing in any preceding section shall be so construed as to prevent the City Attorney when so ordered by the Council to bring suit for the collection of any delinquent taxes now due the city.

Sec. 60. When the City Attorney under an order of the Council brings suit for the recovery of any delinquent tax now due the city, he may collect in addition to the taxes now due the city a penalty of twelve per cent, which shall go to the Attorney for his trouble, and said Attorney is hereby authorized to employ any assistant counsel he may deem necessary provided however that the expense thereof shall be paid by himself.

Passed January 3d, 1877.
R. H. FOWLER, Mayor.
Attest:—
A. B. DANIEL, Clerk.

RECORDER'S COURT.

CHAPTER XV.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. When any person arrested upon warrant or by the Marshal without warrant shall be brought into court and the statement of charges filed, the Recorder shall be fully possessed of the cause and shall proceed to hear and determine the same in a summary way.

Sec. 2. When any delinquent arraigned for trial, and satisfy the Recorder, according to law, that he ought to have a continuance of his cause to some future period, the Recorder may so continue the same as in common trial before a Justice of the Peace to a day set; but in such case if the defendant is not a citizen of the city, and if he has not visible means subject to execution, worth one hundred dollars or more within the corporation the Recorder shall take his recognizance in such sum not exceeding three hundred dollars as he may deem proper for his appearance on the day of trial and also of any witness deemed necessary.

Sec. 3. The Recorder's court shall be open on every day of the week except Sundays to hear, try and determine all cases when a breach of any ordinance of the city is charged.

Sec. 4. Before any person is brought before the Recorder for violation of any city ordinance, either upon the warrant of the Recorder or by the Marshal without a warrant, shall be put upon trial, a statement of the charge or charges in writing signed by the city attorney, which shall briefly set forth the nature of the offense or breach of ordinance complained of and may be made to include several persons charged with the same offense, and no proceedings for violation of any ordinance shall be commenced for any informality or defect in said statements but the same may be amended for any informality or defect in said statements, but the same may be amended on motion at any time before final judgment.

Sec. 5. When any person shall be arrested and it be night time Sunday or there exist other causes why the Recorder's court should not immediately be set for trial he may be released on giving bond to the corporation with one or more sufficient securities to be approved by the Marshal, Mayor, City Attorney, or Recorder in a sum not exceeding three hundred dollars, conditioned for his appearance before the Recorder on a certain day therein mentioned to answer such charges as may be preferred against him which bond shall be filed with the Recorder by the Marshal or Police man, making such arrest.

Sec. 6. If the defendant fail to appear according to the condition of his bond as required in any case by ordinance of the city, the Recorder shall leave the court and shall

feit his bond and render judgment against the defendant and his securities for the amount of the penalty in said bond mentioned, provided that the forfeiture of said bond may be set aside at any time by the Recorder, by the defendant showing good cause for the same by the affidavit of himself or some creditable person for him and paying all cost having accrued thereon.

Sec. 7. The Recorder shall have power to punish all persons guilty of contempt of his court, by fine of not more than twenty five dollars or in his discretion by imprisonment in the county jail for a period not exceeding five days.

Sec. 8. All process and notices which it may be necessary in any suit before the Recorder to serve on the city shall be served on the City Attorney or person acting in his stead.

Sec. 9. In the absence of the city attorney or attorney acting in his stead, when any suit in which the city is a party is about to be tried, the Recorder may appoint some one to prosecute or defend on behalf of the city who shall during the time he is acting, possess all the powers vested in the city attorney and receive like compensation for his services.

Sec. 10. A jury before the Recorder's court in suit to which the city is a party, shall consist of six persons, unless the parties consent to a less number.

Sec. 11. When on trial according to law any person is found guilty of a violation of any ordinance or ordinance of the city and fined therefor and fails or refuses to pay the same forthwith, together with all cost, it shall be the duty of the Recorder to order the defendant into the custody of the Marshal till the fine and cost are paid, and to issue his warrant of commitment against the defendant commanding the Marshal to commit him to the city calaboose for the number of days that the fine and cost may amount to in dollars. And it shall further be the duty of the Recorder to adjudge that the party, in case of non payment of said fine and cost, labor upon the streets, alleys or other public works in said city until said fine and cost is discharged.

Sec. 12. Whenever any person shall have been committed to the calaboose as provided for by this ordinance for failure or refusal to pay any fine adjudged against him, and shall be adjudged to labor upon the streets or other public works of the city, it shall be the duty of the street commissioner upon the warrant or written order of the Recorder to require said person so fined to work upon the streets or other public works of the city, and the said street commissioner is hereby authorized and empowered upon such warrant or order to demand and receive from the jailor in said city said person and remand him to jail every day he may be so required to work.

Sec. 13. If any person adjudged to labor as aforesaid shall fail or refuse to obey any reasonable requirement of the commissioner or labor as directed he shall be deemed guilty of a misdemeanor and fined the sum of not less than five dollars for every such offense, to be collected as other fines or discharged by imprisonment and labor as now required by ordinance.

Sec. 14. If the street commissioner shall deem it necessary in order to the safe keeping and proper control of any prisoner, he is authorized and required to attach a suitable ball and chain to the person of such prisoner, to be worn for such time and in such manner as the street commissioner shall direct.

Sec. 15. If any one who may be imprisoned for failure or refusal to pay any fine or cost adjudged against him for violation of any ordinance for any reason shall be discharged from imprisonment without paying the same, such person shall not thereby be discharged from liability but his property and effects shall be liable to be taken in execution to satisfy such fine and cost.

Sec. 16. Whenever the Recorder shall issue his warrant of commitment against any defendant as hereinbefore provided for, the Marshal shall receive the delinquent and without unnecessary delay, proceed to execute the writ and if he shall fail to do so or refuse, he shall for each failure incur a penalty of fifty dollars, to be recovered by suit before the Recorder on information of any person.

Sec. 17. The city council shall allow their warrants on the city treasurer for the board and support of any prisoner not able to pay it himself, to the keeper of the calaboose provided, nevertheless, that the defendant and his property shall remain liable for the same.

Sec. 18. The house now used as city calaboose shall hereafter be considered the city prison, or calaboose.

Sec. 19. An appeal to the Circuit Court of Audrain county shall lie from the final judgment of the Recorder in all cases when the fine imposed exclusive of all cost shall be over five dollars by the party appellant complying with the provisions of the statutes of this state,

regulating appeals in cases before Justice of the Peace.

Sec. 20. The foregoing section shall not be so construed as to require of the corporation any bond or affidavit when the corporation is the appellant.

Sec. 21. The Recorder and City Marshal in all matters pertaining to the duties of their respective offices, concerning which there is no provision by ordinance shall be governed by the laws of the state of Missouri regulating Justices of the Peace and constables so far as the same may be applicable.

Sec. 22. The Mayor may remit fines and commute imprisonment or labor of imprisonment upon such terms as he may deem proper, provided that a written application be made to him for that purpose, signed by the Recorder, City Attorney, Marshal, City Council or a majority of them, and provided further, that before any fine shall be remitted he shall be satisfied that all costs in the case have been paid.

Passed January 3d, 1877.
R. H. FOWLER, Mayor.

Attest:—
A. B. DANIEL, Clerk.

STREETS AND ALLEYS.

CHAPTER XVII.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. Whenever the City Council shall provide by Ordinance for establishing, opening, widening or altering any street, lane, avenue or alley, market place or public square they shall order the City Engineer to survey and make a perfect plat of the same which shall show the quantity of land remaining to such owner and the land lying adjacent to such improvements, together with the name or names of the owner or owners of such land, which plat shall be filed with the Recorder and become a part of the records of the city. If all the owners of land taken shall petition for such improvement or shall join in a deed of relinquishment to their respective land taken the Council shall at once order the establishment, opening, widening or altering of such street, alley, lane, market place or public square.

Sec. 2. If any land owner shall neglect or refuse to relinquish to the city such land the Council shall order the same to be condemned as hereinafter provided.

Sec. 3. The Recorder shall therefore issue a notice to each owner of land affected by the establishment, opening, widening or altering such street, lane, avenue, alley, market place or public square to appear before him at the time and place therein specified such notice shall be served at least six days before the day of appearance before the Recorder, and in the same manner and with like effects as writs of summons are, or may be by law required to be served and should the return of the Marshal show that the owner of any such property cannot be found the Recorder shall adjourn the inquest for thirty days, and shall cause notice to be published in some newspaper printed in said city for at least three consecutive weeks, the last insertion to be at least six days before the day to which the inquest is adjourned, notifying all persons interested, the proceedings for that purpose have been instituted by the City Council and that a jury will be empaneled to assess the damages and benefits resulting therefrom, on the day and at the place therein set for the inquest and such notice by publication as aforesaid shall be as binding upon all parties interested in such property as if notice had been actually served upon them.

Sec. 4. After all parties whose lands are affected by such improvements shall have been duly notified, the Recorder shall cause to be summoned a jury of six free holders of said city not directly interested in any property affected by the opening, widening, altering or extending such street, avenue or alley to assess the damages and benefits to the owners of the land affected by such improvements.

Sec. 5. The jury first having been duly sworn shall examine the land affected, at which examination no party interested shall be present, after such examination the jury may hear the testimony of any witness summoned for that purpose by the city or any party interested.

Sec. 6. After hearing all the evidence the jury shall return to the Recorder a written verdict signed and sworn to by each juror, which shall show the value of the land of each party actually taken and the amount of the benefits to each land owner adjacent to such improvements.

Sec. 7. It shall be the duty of the Recorder after the rendition of the verdict, to report the same to the City Council, who shall proceed to approve or disapprove the same within twenty days thereafter, and if the finding and the verdict of the said jury be not approved by the City Council within the time aforesaid, the whole proceeding shall be void and of no effect.

Sec. 8. If the verdict of the jury shall be confirmed by the City Council within twenty days after the same has been reported by the Recorder,

it shall be the duty of the Recorder forthwith to render judgment in favor of the city for the amount to be paid by the owner or owners of the property benefited by the improvement as ascertained by the jury, and if the amount of such judgment be not paid within sixty days after the rendition thereof, a special execution shall be issued by the Recorder and directed to the Marshal of the city against the property so charged. The Marshal shall thereupon forthwith proceed to sell such property or so much thereof as may be necessary to satisfy said judgment and all cost accruing thereupon from the issuing of such execution, publicly to the highest bidder, for cash, having first given four weeks' public notice of the time, terms and place of sale and the property to be sold by publication in some newspaper published in this city. And upon such sale the Marshal shall make and deliver to the purchaser or purchasers of said property sold, a deed to the same which shall be prima facie evidence of all the recitals therein.

Sec. 9. If no appeal be taken from such judgment within ten days after the approval of the same by the City Council then the same shall be final and the City Marshal after the payment of such damages or the tender thereof to such party as damaged shall open said street, lane, avenue or alley.

Sec. 10. The Recorder shall keep a record of all the proceedings under the preceding sections of this chapter.

Sec. 11. That no addition to the City of Mexico shall hereafter be made to said city unless the street or alleys in said addition shall correspond and connect with streets and alleys now laid off and dedicated to public use. That before any addition shall be made to said city the plat thereof shall first be submitted to the City Council of said city and approved by said Council. That any person who shall sell any lot or lots in any addition hereafter made to said city before said addition shall be approved by said City Council, shall be deemed guilty of a misdemeanor and fined twenty five dollars for each offense.

Passed Jan. 3d, 1877.
R. H. FOWLER, Mayor.

Attest:—
A. B. DANIEL, Clerk.

SIDEWALKS.

CHAPTER XVIII.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. The owner or owners of each lot or parcel of land fronting on the public square in the City of Mexico shall construct a good brick pavement in front of such lot or parcel of land of the width of ten feet and shall keep the same in good repair.

Sec. 2. When any sidewalk in the City of Mexico be ordered to be built of plank, it shall be made of plank two inches thick and sixteen feet long, to be laid down lengthwise, and securely nailed to four ties to each sixteen feet, and said walks to be at least fifty inches wide.

Sec. 3. All side walks now built and in use in the city shall be kept in good repair by the owners of the property in front of which they may be situated.

Sec. 4. The work required by the provisions of this ordinance shall be under the supervision of the street commissioner.

Sec. 5. Whenever a petition shall be presented to the City Council, signed by a majority of the property owners, resident on either side of said street asking that a side walk be built on such side of such street, it shall be the duty of the Council to order each and every person owning property on said side of such street or the tenant or agent of such person to build and construct a side walk in front of such property and if any one of said property owners shall for the period of fifteen days after being required so to do by the Marshal fail or refuse to construct such side walks, the City Council shall cause the same to be constructed at the expense of such owner or owners.

Sec. 6. Whenever the City Council shall be satisfied that any side walk within the city or any pavement fronting on the public square shall be out of repair or shall not conform to the requirements of this ordinance it shall be their duty to order the owners of the property or their tenants or agents to repair such side walks or pavement or to make a new walk or pavement in the place of the one out of repair, if it be deemed necessary, and make the same conform to the requirements of this ordinance, and if such owner shall for the period of five days fail to repair the same as herein provided the Council shall order the same to be done at the expense of said owner.

Sec. 7. Whenever it shall become necessary for the City Council to order any side walk or pavement to be constructed or separated as provided by this ordinance at the expense of the owners in front of whose property such improvements may be made, they shall immediately

ly on the completion of said work levy a special tax on such owner sufficient to pay all cost and expense of such improvement and ten per cent for the use of the Collector. If the owner of such property shall fail to pay said tax for the period of ten days after demand the Collector may collect the same by suit before any court having jurisdiction and no property shall be exempt from seizure and sale under an execution upon a judgment so obtained or at his option he may proceed to sell said property or so much thereof as may be necessary to pay said tax and cost, to the highest bidder, for cash, at the court house in said city of Mexico, first giving twenty days notice of the time, terms and place of sale and a description of the property to be sold in some newspaper published in the City of Mexico, and shall make a deed or deeds in the purchaser or purchasers thereof.

Passed January 3d, 1877.
R. H. FOWLER, Mayor.

Attest:—
A. B. DANIEL, Clerk.

STREET WORKING.

CHAPTER XVIII.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. That all able bodied male inhabitants between the ages of eighteen and fifty years shall be subject to work two days in each year upon the streets, lanes and avenues of the city and in lieu of such work they may pay at their option a street tax of two dollars per annum.

Sec. 2. The Assessor in making the annual assessment of the city shall assess all persons liable to work on the streets as provided in the preceding section.

Sec. 3. The clerk in making out the tax book shall prepare a column for street tax and shall place a tax of two dollars against every person assessed by the Assessor as liable to work on the streets and shall also provide the Street Commissioner with a list of such persons and as soon as the tax book is placed in the hands of the Collector said list shall be placed in the hands of the Street Commissioner.

Sec. 4. The Street Commissioner shall forthwith notify the persons designated on said list to work on the streets specifying the time and place they are required to work giving at least two days notice thereof, and at the time and place designated in the notice the persons thus notified shall appear and under the direction of the Street Commissioner shall perform such labor on the streets, lanes and avenues, as the Street Commissioner shall direct. If practical the Street Commissioner shall require persons to work on those streets, lanes and avenues most convenient to their residences, and shall at no time work more than twenty acres less than two loads.

Sec. 5. Any person neglecting or refusing to work on the streets when notified to do so or any person refusing to obey the reasonable command of the Street Commissioner while at work on the streets shall be deemed guilty of a misdemeanor and fined not less than two dollars and fifty cents for each offense unless discharged from his liability to work as provided in the next succeeding section.

Sec. 6. Any person liable to work on the streets, who shall produce to the Street Commissioner the Collector's receipt for the street tax of two dollars assessed against him shall be discharged from his liability to work on the streets and his name shall be marked on the list of the Street Commissioner as paid to the Collector.

Sec. 7. The Street Commissioner shall at the end of each week furnish the Collector with a list of the names of those persons who have worked out their time on the streets. The Collector shall give such person on the tax book a receipt for the street tax and shall file the list with the Clerk, and the Clerk shall forthwith credit the Collector with the same.

Sec. 8. The Collector shall at the end of each week furnish the Street Commissioner with a list of all persons who shall have paid their street tax and the Street Commissioner shall forthwith mark such persons on his list as discharged from their liability to work on the streets and shall file the list thus furnished him with the clerk.

Sec. 9. At the first regular meeting of the City Council in December of each year the Street Commissioner shall make return of the list furnished him and shall receive a credit for every person on the list who has worked out his time on the street, who has paid his street tax, who was erroneously assessed who has left the city and cannot be found or who had reported to the Marshal as remaining to work when notified for all other persons on said list the Street Commissioner shall be charged two dollars which shall be deducted from his salary.

Passed January 3d, 1877.
R. H. FOWLER, Mayor.

Attest:—
A. B. DANIEL, Clerk.

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